

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

KARENA J. GERDE,

Civil No. 3:14-CV-05679-MAT

Plaintiff,

VS.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER ON STIPULATED MOTION FOLLOWING MANDATE

Pursuant to the Mandate of United States Court of Appeals (ECF No. 36), the parties' stipulated Motion on the Mandate, and good cause shown, **IT IS HEREBY ORDERED** that Court's Order Re: Motion for Equal Access to Justice Act Fees (ECF No. 30), is amended as follows:

1. This Court's prior denial of Plaintiff's request for attorney fees pursuant to the Equal Access of Justice is stricken;
2. It is ordered that the Commissioner of Social Security will pay Karena Gerde the sum of \$10,087.10 in full satisfaction of Karena Gerde's EAJA claim in *Gerde v. Berryhill*, Ninth Circuit No. 18-35576, *Gerde v. Berryhill*, Ninth Circuit No. 15-35418, *Gerde v. Berryhill*,

1 known and unknown, Karena Gerde now has or may hereafter acquire against the Social
2 Security Administration under the EAJA and arising out of the circumstances giving rise
3 to these proceedings. If the U.S. Department of the Treasury determines Karena Gerde's
4 EAJA award is not subject to any offset allowed under the Treasury offset program as
5 discussed in *Astrue v. Ratliff*, 552 U.S. 1193 (2010), payment of this settlement amount
6 will be made to Karena Gerde's attorney Eitan Kassel Yanich. This order does not change
7 or affect the previous award of costs to Karena Gerde.

8 DATED this 17th day of December, 2018.

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11 Mary Alice Theiler
12 United States Magistrate Judge
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Presented by:

15 s/ Lars J. Nelson

16 LARS J. NELSON

17 Special Assistant U.S. Attorney

18 Office of the General Counsel

19 Social Security Administration

20 701 Fifth Avenue, Suite 2900 M/S 221A

21 Seattle, WA 98104-7075

22 Telephone: (206) 615-3717

23 Fax: (206) 615-2531

24 lars.nelson@ssa.gov